

# HOUSE BILL No. 1393

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 4-34-3; IC 20-10.1-34; IC 20-14-3-17.

**Synopsis:** Public computer access by children. Requires a school corporation or a public library that provides Internet or similar computer access to minors to use software to: (1) limit the ability of minors to gain access to inappropriate materials; or (2) purchase Internet service that filters access to these materials. Requires school corporations and public libraries to hold an annual public meeting to determine: (1) how to comply with these requirements; and (2) what materials are considered inappropriate for minors. Provides for grants from the Indiana technology fund to pay for the costs of purchasing software or Internet connectivity to comply with the statute.

**Effective:** July 1, 2004.

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January 20, 2004, read first time and referred to Committee on Education.

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Introduced

Second Regular Session 113th General Assembly (2004)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2003 Regular Session of the General Assembly.

## HOUSE BILL No. 1393

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A BILL FOR AN ACT to amend the Indiana Code concerning education.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1 SECTION 1. IC 4-34-3-2, AS AMENDED BY P.L.273-1999,  
2 SECTION 187, IS AMENDED TO READ AS FOLLOWS  
3 [EFFECTIVE JULY 1, 2004]: Sec. 2. (a) Money in the fund shall be  
4 allocated annually to libraries, including the INSPIRE project.  
5 (b) The Indiana library and historical board established by  
6 IC 4-23-7-2 and the budget agency may jointly make rules necessary  
7 or appropriate to the administration of this chapter.  
8 (c) Each library in Indiana is entitled in each calendar year to apply  
9 to the Indiana library and historical board for a grant for a technology  
10 project. From time to time, but not more often than semiannually, the  
11 Indiana library and historical board shall make recommendations to the  
12 budget agency as to grants from the Indiana technology fund. After  
13 review by the budget committee established by IC 4-12-1-3 and  
14 approval by the governor, the budget agency may allot money to the  
15 Indiana library and historical board for the grants.  
16 (d) **A public library may make a request for a grant to comply**  
17 **with IC 20-10.1-34-5. A grant request from a public library under**

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1 **this subsection shall be approved, and a grant shall be paid to the**  
 2 **public library making the request.**

3 SECTION 2. IC 4-34-3-4, AS AMENDED BY P.L.273-1999,  
 4 SECTION 188, IS AMENDED TO READ AS FOLLOWS  
 5 [EFFECTIVE JULY 1, 2004]: Sec. 4. (a) Money in the fund shall be  
 6 allocated annually to the intelenet commission (IC 5-21-2-1) to make  
 7 matching grants to school corporations or to make payments directly to  
 8 vendors for Internet connections and related equipment for a school  
 9 corporation. The intelenet commission shall develop a plan to  
 10 implement grants under this section. The budget committee shall  
 11 review the plan. The budget agency must approve of the plan.

12 **(b) A school corporation may make a request for a grant to**  
 13 **comply with IC 20-10.1-34-5. Notwithstanding section 6(2) of this**  
 14 **chapter, a grant request from a school corporation under this**  
 15 **subsection shall be approved, and a grant shall be paid to the**  
 16 **school corporation making the request.**

17 SECTION 3. IC 20-10.1-34 IS ADDED TO THE INDIANA CODE  
 18 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
 19 JULY 1, 2004]:

20 **Chapter 34. Computer Access by Minors in Public Schools and**  
 21 **Public Libraries**

22 **Sec. 1. As used in this chapter, "library board" has the meaning**  
 23 **set forth in IC 20-14-1-2.**

24 **Sec. 2. As used in this chapter, "meeting convener" applies to**  
 25 **the:**

- 26 (1) governing body of a school corporation; or
- 27 (2) library board of a public library;
- 28 **whichever is applicable.**

29 **Sec. 3. As used in this chapter, "public access computer" means**  
 30 **a computer that is:**

- 31 (1) located in a:
  - 32 (A) public school; or
  - 33 (B) public library;
- 34 (2) frequently or regularly used directly by a minor; and
- 35 (3) connected to any computer communications system.

36 **Sec. 4. As used in this chapter, "public library" has the meaning**  
 37 **set forth in IC 20-14-1-2.**

38 **Sec. 5. A school corporation or a public library that provides a**  
 39 **public access computer shall do at least one (1) of the following:**

- 40 (1) Equip the computer with software that will limit the
- 41 ability of a minor to gain access to materials determined
- 42 under this chapter to be inappropriate for minors.

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(2) Purchase Internet connectivity from an Internet service provider that provides filter services to limit access to materials determined under this chapter to be inappropriate for minors.

Sec. 6. (a) At least one (1) time each year, the governing body of a school corporation or the library board of a public library, whichever is applicable, shall hold a public meeting to determine the following:

(1) How the meeting convener will comply with the requirements of section 5 of this chapter.

(2) What materials are considered inappropriate for minors, so that the software or filter that is used can be set to prevent a minor who uses a public access computer from gaining access to those materials.

(b) During the public meeting held under this section, the meeting convener shall provide reasonable opportunity for full public testimony on the determinations to be made under subsection (a).

(c) The meeting convener may adjourn the meeting held under this section to another date and time announced to the public before adjournment.

(d) At the meeting or an adjourned meeting held under this section, the meeting convener shall make the determinations required by subsection (a). These determinations must:

(1) reflect the community's standards regarding materials that are inappropriate for minors as evidenced during the meeting; and

(2) include a finding that material that is unlawful to possess under Indiana law is material inappropriate for minors.

SECTION 4. IC 20-14-3-17 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 17. A library board must comply with IC 20-10.1-34.

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